

LAW CAPSULE

FOR LAW COMPETITIVE EXAMS HUMAN RIGHTS



Raj Singh Niranjani*

"All human rights are universal, indivisible, interdependent and interrelated"

Constituent Assembly of India was aware of the importance of Human Rights. It knew that for the awakening of social consciousness and the development of democratic values, a feeling for social justice and National integration is extremely important. National integration can be achieved only through a proper understanding and appreciation of the different sub-cultures of India and the common bonds that hold them together. Discrimination of any kind based on sex, caste, religion, language or region is to be looked with aversion because it is irrational, unnatural and harmful to the growth of modern India. Protection of Human Rights through Constitutional / Statutory safeguard and enforcement of the same in letter and spirit will be a step in right direction to achieve the above objective.

The development of Human Rights has taken place in three phases. Following are the three generations of Human Rights which have evolved with time:-

Phase / Stage	Generation of Human Rights	Operative Area
I	First Generation Rights	Concerned mainly with the Civil and Political rights of the individuals. They are also known as the 'Liberty Oriented Rights'.
II	Second Generation Rights	These rights are said to be 'Security Oriented' and provide for social, economic and cultural security.
III	Third Generation Rights	This includes environmental, cultural and developmental rights. They are mainly concerned with rights of groups and of people rather than of individuals and includes such rights as the right to self-determination and right to development.

Post 1948 (Universal Declaration of Human Rights) articulation of Human Rights has gained a lot of momentum. However some of the milestones and World action with respect to Human Rights are enumerated in a tabular form:-

Year	World action with respect to Human Rights
1776	The second Continental Congress attended by delegates from English Colonies in North America adopted the Declaration of Independence
1789	The National Assembly of France which had started meeting in June 1789 adopted the Declaration of Rights of Man and Citizen
1918	Declaration of the Rights of the Working and Exploited People
1931	Indian National Congress in March 1931 adopted Fundamental Rights and Economic Program
1947	India's Charter of Freedom
1948	Universal Declaration of Human Rights
1950	Constitution of India enforced with Chapter Three guaranteeing Fundamental Rights and Chapter Four with Directive Principles of State Policy
1965	International Convention on the Elimination of All forms of Racial Discrimination
1966	International Covenant on Economic, Social and Cultural Rights